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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/634,755	08/08/2000	Ronald Coleman	CITI0168	4348
75127 7590 01/03/2008 KING & SPALDING LLP (CITI CUSTOMER NUMBER) ATTN: GEORGE T. MARCOU 1700 PENNSYLVANIA AVENUE, NW SUITE 200 WASHINGTON, DC 20006			EXAMINER WINTER, JOHN M	
			ART UNIT 3621	PAPER NUMBER
			MAIL DATE 01/03/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/634,755	<b>Applicant(s)</b> COLEMAN ET AL.	
	<b>Examiner</b> John M. Winter	<b>Art Unit</b> 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 11 and 14-15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11 and 14-15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                    |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                               | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/10/2007</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### **Acknowledgements**

The Applicants amendment filed on October 11, 2007 is acknowledged, Claims 11-20 remain pending .

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11, 14, 15 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims recite the limitation "calculating the likelihood" this limitation is vague and indefinite, since likelihood is a mere guess, no limitation is imposed upon the claimed invention.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 14 –15 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reboh et al., (US Patent No 4,866,634) in view of Huh et al. (US Patent 5,396,612).

As per claim 11,

Reboh et al. ('634) discloses a system for detecting abnormalities in input data to a financial risk management system, the system comprising:

a data processing server that receives a set of input data;(Column 4, lines 18-23)

a computer storage device for storing one or more historical values, each historical value representing a previous set of input data;(Column 4, lines 24-34)

Reboh et al. ('634) does not explicitly disclose one or more central processing units calculating the likelihood that changes to the set of input data are the result of one or more errors. Huh ('612) discloses one or more central processing units calculating the likelihood that changes to the set of input data are the result of one or more errors; (Figure 8, Column 7, lines 60-67 – column 8, lines 1-33) it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the Reboh et al method with Huh ('612) method in order to reduce the cost of error correction in databases by providing a simple and inexpensive process to ensure the quality of the data being processed.

As per claim 14,

Reboh et al. ('634) discloses a system for detecting abnormalities in input data to a financial risk management system, the system comprising:

a data processing server that receives a set of input data;(Column 4, lines 18-23)

a computer storage device for storing one or more historical values, each historical value representing a previous set of input data;(Column 4, lines 24-34)

a graphical user interface (Column 4, lines 38-42)

displaying a result based on the calculated likelihood that changes to the set of input data are the result of one or more errors (Column 8, particularly discussion of display format of "outbox")

Reboh et al. ('634) does not explicitly disclose one or more central processing units calculating the likelihood that changes to the set of input data are the result of one or more errors. Huh ('612) discloses one or more central processing units calculating the likelihood that changes to the set of input data are the result of one or more errors; (Figure 8, Column 7, lines 60-67 – column 8, lines 1-33) it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the Reboh et al method with Huh ('612) method in order to reduce the cost of error correction in databases by providing a simple and inexpensive process to ensure the quality of the data being processed.

As per claim 15,

Reboh et al. ('634) discloses the system of claim 14,

Official Notice is taken that "displaying an icon indicating an error" is common and well known in prior art in reference to statistical analysis. It would have been obvious to one having ordinary skill in the art at the time the invention was made that an error would cause the user to be notified.

As per claim 17,

Reboh et al. ('634) discloses the system of claim 16,

Official Notice is taken that "the statistical analysis is performed by calculating the Shannon entropy" is common and well known in prior art in reference to statistical analysis. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the statistical analysis is performed using Shannon entropy because this is a standard technique that is well known and found in any statistical analysis textbook.

Claims 18-20 are in parallel with claim 17 and are rejected for at least the same reasons.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reboh et al., (US Patent No 4,866,634) in view of Huh et al. (US Patent 5,396,612) and further in view of Masch (US Patent 5,930,762).

As per claim 12,

Reboh et al. ('634) discloses the system of claim 11,

Reboh et al. ('634) does not explicitly disclose the input data includes data feeds from one or more data processing systems. Masch ('762) discloses the input data includes data feeds from one or more data processing systems;(Column 2, lines 21-34) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Reboh et al method with the Masch ('762) method in order to generate a sufficient amount of data to achieve statistical accuracy.

As per claim 13,

Reboh et al. ('634) discloses the system of claim 11,

Reboh et al. ('634) does not explicitly disclose the input data includes data calculated by a financial risk management system. Masch ('762) discloses the input data includes data calculated by a financial risk management system;(Column 2, lines 21-34). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Reboh et al method with the Masch ('762) method in order to generate a sufficient amount of data to achieve statistical accuracy.

Claim 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reboh et al., (US Patent No 4,866,634) in view of Huh et al. (US Patent 5,396,612) and further in view of Statistics , Meaning and method; Lawerence Laupin, 1980.

As per claim 16,

Reboh et al. ('634) discloses the system of claim 11,

Reboh et al. ('634) does not explicitly disclose calculating the information content of the input data; and performing a statistical analysis of the calculated information content relative to the one or more historical values to determine the likelihood that changes to the input data are the result of one or more errors. Laupin discloses calculating the information content of the input data; and performing a statistical analysis of the calculated information content relative to the one or more historical values to determine the likelihood that changes to the input data are

the result of one or more errors (Pages 247-248) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Reboh et al method with the Laupin method in order to generate a sufficient amount of data to achieve statistical accuracy.

### ***Response to Arguments***

The Applicants arguments filed on April 26,2007 have been fully considered.

The Applicant states that the claims of the present invention are directed towards a different purpose and are not obvious in view of the prior art.

Examiner responds that as per *Ex parte Clapp*, 227 USPQ 972 (Bd Pat App & Int) "To support conclusion that claimed combination is directed to obvious subject matter, the references must either expressly or impliedly suggest claimed combination or the examiner must present a convincing line of reasoning as to why artisan would have found claimed invention to have been obvious in light of the references teachings.", the Examiner states the reference deals with the generalized problem of data management and error detection and therefore would be obvious to a person of ordinary skill in the art.

The Applicant states that the prior office action contradicts the Examiner's earlier assertions regarding "likelihood" as "common" and "well known" by asserting that it is "vague and indefinite," additionally ignoring the accepted definition of "likelihood" in the field of the invention.

The Examiner states that the limitation "calculating the likelihood" is vague and indefinite, under 35 U.S.C. 112 , and construed to have the meaning "probability" for the purposes of rejection under 35 USC 103.



The Examiner states the claims 17-20 are rejected in view of Official Notice, these claims merely state different well know methods of performing statistical analysis. Applicant(s) attempt at traversing the Official Notice findings as stated in the previous Office Action is inadequate. Adequate traversal is a two step process. First, Applicant(s) must state their traversal on the record. Second and in accordance with 37 C.F.R. §1.111(b) which requires Applicant(s) to specifically point out the supposed errors in the Office Action, Applicant(s) must state *why* the Official Notice statement(s) are not to be considered common knowledge or well known in the art. In this application, while Applicant(s) have clearly met step (1), Applicant(s) have failed step (2) since they have failed to argue *why* the Official Notice statement(s) are not to be considered common knowledge or well known in the art. Because Applicant(s)' traversal is inadequate, the Official Notice statement(s) are taken to be admitted as prior art. See MPEP §2144.03.

The Examiner contends that the Hue reference meets the claimed limitation of "calculating the likelihood that changes to the set of input data are the result of one or more errors", the system of Hue recognized data as either being erroneous or error free, therefore the "likelihood " of error is either 0% or 100%, (i.e. a binary system), the Examiner submits that in the Hue system when a discrepancy of data has been detected; the " likelihood that changes to the set of input data are the result of one or more errors" is 100%. Since there is no language in the claimed invention that states that the likelihood is not a binary value the Examiner submits that the prior art reference fully meets the limitations of the claimed invention.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Winter whose telephone number is (571) 272-6713. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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John Winter

Patent Examiner -- 3621



**KAMBIZ ABDI**  
SUPERVISORY PATENT EXAMINER